

Whereas, on January 1, 1808, the prohibition on the importation of slaves into the United States took effect;

Whereas, on March 3, 1819, Congress authorized the Navy to cruise the coast of Africa to suppress the slave trade, declaring that Africans on captured ships be placed under Federal jurisdiction and authorizing the President to appoint an agent in Africa to facilitate the return of captured Africans to the continent;

Whereas, in 1819, the Royal Navy of Great Britain established the West Coast of Africa as a separate naval station and actively plied the waters in pursuit of slave ships, and Great Britain negotiated with many other countries to obtain the right to search vessels suspected of engaging in the slave trade;

Whereas, on May 15, 1820, Congress declared the trading of slaves to be an act of piracy and that those convicted of trading slaves were subject to the death penalty;

Whereas the Webster-Ashburton Treaty between Great Britain and the United States, signed August 9, 1842, provided that both countries would maintain separate naval squadrons on the coast of Africa to enforce their respective laws against the slave trade;

Whereas, in 1843, the newly formed United States African Squadron sailed for Africa and remained in operation until the Civil War erupted in 1861;

Whereas, in 1859, the USS *Constellation*, the last all-sail vessel designed and built by the United States Navy, sailed to West Africa as the flagship of the United States African Squadron, which consisted of 8 ships, including 4 steam-powered vessels suitable for chasing down and capturing slave ships;

Whereas, on December 21, 1859, the USS *Constellation* captured the brig *Delicia* after a 10-hour chase, and although the *Delicia* had no human cargo on board upon capture, the crew had been preparing the ship to take on slaves;

Whereas, on the night of September 25, 1860, the USS *Constellation* spotted the barque *Cora* near the mouth of the Congo River and, after a dramatic moonlit chase, captured the slave ship with 705 Africans crammed into her permanent "slave deck";

Whereas after capturing the *Cora*, a detachment of the *Constellation's* crew sailed the surviving Africans to Monrovia, Liberia, a colony founded for the settlement of free African Americans, which became the destination for all Africans freed on slave ships captured by the United States Navy;

Whereas, on May 21, 1861, the USS *Constellation* captured the brig *Triton*, and although the *Triton* did not have Africans captured for slavery on board when intercepted by the *Constellation*, a search confirmed that the ship had been prepared to take on slaves;

Whereas the *Triton*, registered in Charleston, South Carolina, was one of the first Union naval captures of the Civil War;

Whereas, from 1859 to 1861, the USS *Constellation* and the United States African Squadron captured 14 slave ships and liberated nearly 4,000 Africans destined for a life of servitude in the Americas, a record unsurpassed by the squadron under previous commanders; and

Whereas, on September 25, 2008, the USS *Constellation* Museum will hold a ceremony to commemorate the bicentennial of the abolition of the transatlantic slave trade aboard the same ship that, 148 years before, forced the capitulation of the slave ship *Cora* and freed the 705 Africans confined within: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historical and educational significance of the USS *Constellation*, a 153-year-old warship berthed in Baltimore, Maryland, as a reminder of both the participation of the United States in the

slave trade and the efforts of the United States Government to suppress the inhumane practice;

(2) applauds the preservation of the historic vessel and the efforts of the USS *Constellation* Museum to engage people from all over the world with this vital part of our history; and

(3) supports the USS *Constellation* as an appropriate site for the Nation to commemorate the bicentennial of the abolition of the transatlantic slave trade in 2008.

SENATE RESOLUTION 541—SUPPORTING HUMANITARIAN ASSISTANCE, PROTECTION OF CIVILIANS, ACCOUNTABILITY FOR ABUSES IN SOMALIA, AND URGING CONCRETE PROGRESS IN LINE WITH THE TRANSITIONAL FEDERAL CHARTER OF SOMALIA TOWARD THE ESTABLISHMENT OF A VIABLE GOVERNMENT OF NATIONAL UNITY

Mr. FEINGOLD (for himself, Mr. COLEMAN, Mr. BROWN, Ms. KLOBUCHAR, and Mr. HAGEL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 541

Whereas, despite the formation of the internationally recognized Transitional Federal Government (TFG) in 2004, there has been little improvement in the governance or stability of southern and central Somalia, and stability in the northern region of Puntland has deteriorated;

Whereas governance failures in Somalia have permitted and contributed to escalating violence, egregious human rights abuses, and violations of international humanitarian law, which occur with impunity and have led to an independent system of roadblocks, checkpoints, and extortion that hinders trade, business, and the delivery of desperately needed humanitarian assistance;

Whereas the Government of Ethiopia intervened in Somalia in December 2006 against the Islamic Courts Union (ICU) and continues to serve as the primary security force for the TFG in Somalia;

Whereas a United Nations Monitoring Group on Somalia report presented to the United Nations Security Council on July 20, 2007, alleged that Eritreans have provided arms to insurgents in Somalia as part of a long-standing dispute between Ethiopia and Eritrea that includes a series of interlocking proxy wars in the Horn of Africa;

Whereas the United Nations estimates that, as of April 2008, 2,000,000 people in Somalia need humanitarian assistance or livelihood support for at least the next 6 months, including 745,000 people who have fled ongoing insecurity and sporadic violence in Mogadishu over the past 16 months, adding to more than 275,000 long-term internally displaced Somalis;

Whereas, despite Prime Minister Nur Hassan Hussein's public commitment to humanitarian operations, local and international aid agencies remain hindered by extortion, harassment, and administrative obstructions;

Whereas, in March 2008, United Nations Secretary-General Ban Ki-moon presented his report on Somalia based on recent strategic assessments and fact-finding missions, which offered recommendations for increasing United Nations engagement while decreasing the presence of foreign troops, including the establishment of a maritime

task force to deter piracy and support the 1992 international arms embargo;

Whereas the United States Government has allocated nearly \$50,000,000 to support the African Union Mission in Somalia (AMISOM) and continues to be the leading contributor of humanitarian assistance in Somalia, with approximately \$140,000,000 provided in fiscal year 2007 and fiscal year 2008 to date, but still lacks a comprehensive strategy to build a sustainable peace;

Whereas, over the last 5 years, the Senate has repeatedly called upon the President through resolutions, amendments, bills, oversight letters, and hearings to develop and implement a comprehensive strategy to contribute to lasting peace and security throughout the Horn of Africa by helping to establish a legitimate, stable central government in Somalia capable of maintaining the rule of law and preventing Somalia from becoming a safe haven for terrorists;

Whereas a February 2008 Government Accountability Office (GAO) report entitled, "Somalia: Several Challenges Limit U.S. and International Stabilization, Humanitarian, and Development Efforts", found that United States and international "efforts have been limited by lack of security, access to vulnerable populations, and effective government institutions" as well as the fact that the "U.S. strategy for Somalia, outlined in the Administration's 2007 report to Congress on its Comprehensive Regional Strategy on Somalia, is incomplete";

Whereas the recent designation by the Department of State of Somali's al Shabaab militia as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and as a specially designated global terrorist under section 1(b) of Executive Order 13224 (September 23, 2001) highlights the growing need for a strategic, multifaceted, and coordinated approach to Somalia; and

Whereas it is in the interest of the United States, the people of Somalia, and the citizens and governments of neighboring and other interested countries to work towards a legitimate peace and a sustainable resolution to the crisis in Somalia that includes civilian protection and access to services, upholds the rule of law, and promotes accountability: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States remains committed to the people of Somalia and to helping build the institutions necessary for a stable nation free from civil war and violent extremism;

(2) the President, in partnership with the African Union, the United Nations, and the international community, should—

(A) provide sufficient humanitarian assistance to those most seriously affected by armed conflict, drought, and flooding throughout Somalia, and call on the Transitional Federal Government to actively facilitate the dispersal of such assistance;

(B) ensure accountability for all state, non-state, and external parties responsible for violations of human rights and international humanitarian law in Somalia, including through the deployment of United Nations human rights monitors and the establishment of a United Nations Commission of Inquiry to investigate abuses;

(C) call on all parties to recommit to an inclusive dialogue, with international support, in the interest of promoting sustainable peace and security in Somalia and across the Horn of Africa;

(D) urge the Government of Ethiopia, in coordination with the United Nations Political Office in Somalia, to develop a clear timeline for the responsible withdrawal of its

armed forces from Somalia, to honor its obligation under the Geneva Conventions to ensure protection of civilians under its control, and to observe the distinction between civilians and military combatants and their assets;

(E) urge the Government of Eritrea to play a productive role in helping to bring about stability to Somalia, including ceasing to provide any financial and material support, such as arms and ammunition, to insurgent groups in and around Mogadishu and throughout the region; and

(F) call on all countries in the region and wider international community to provide increased support for AMISOM and ensure a robust civilian protection mandate;

(3) to achieve sustainable peace in the region, the Transitional Federal Government, including the newly appointed Prime Minister and his Cabinet, should—

(A) take necessary steps to protect civilians from dangers related to military operations, investigate and prosecute human rights abuses, provide basic services to all the people of Somalia, and ensure that humanitarian organizations have full access to vulnerable populations;

(B) recommit to the Transitional Federal Charter;

(C) set a detailed timeline and demonstrate observable progress for completing the political transition laid out in the Transitional Federal Charter by 2009, including concrete and immediate steps toward scheduling elections as a means of establishing a democratically elected government that represents the people of Somalia; and

(D) agree to participate in an inclusive and transparent political process, with international support, towards the formation of a government of national unity based on the principles of democracy, accountability, and the rule of law.

Mr. FEINGOLD. Mr. President, one month ago I urged greater U.S. and international action to end the horrific violence plaguing Somalia and to press for a political solution that will lead to a sustainable peace in this war-torn country and stability for the volatile Horn of Africa region. Today, relentless violence in Somalia's capital, Mogadishu, is worsening the humanitarian and human rights crisis faced by hundreds of thousands of Somali civilians, while Islamist militias have gained substantial territorial control in south and central Somalia and Somali pirates are wreaking havoc off the country's coast. In the past few days, a range of actors from the UN's Under Secretary-General for Humanitarian Affairs to Human Rights Watch, and even Pope Benedict, have issued urgent appeals for an end to the lawless violence in Somalia.

Today, I am introducing a resolution that will add the U.S. Senate to the list of those calling for the protection of civilians and a recommitment to the ideals and implementation of the 2004 Transitional Federal Charter. The resolution I am introducing—along with Senators COLEMAN, BROWN, and KLOBUCHAR—acknowledges the good work the U.S. has done, including the allocation of nearly \$50 million to support the African Union peacekeepers in Somalia. The U.S. continues to be the leading humanitarian contributor, with more than \$140 million in humani-

tarian assistance since the Ethiopians went into Somalia in December 2006.

This most recent "emergency" response to the situation in Somalia has now gone on for sixteen months and yet conditions on the ground have deteriorated significantly, with some experts claiming Mogadishu is worse now than it has been since the civil war began in the early 1990s. It is clear our current policy towards Somalia is not working—and we can no longer rely on temporary measures to stitch the crisis together.

This new Senate resolution aims to refocus U.S. and international attention on the medium- and long-term priorities, namely, our commitment to helping Somalis build the institutions and conditions necessary for a stable nation free from civil war and violent extremism. The resolution reflects information gleaned from a hearing I held last month in the Senate Subcommittee on African Affairs, in which expert witnesses stressed the need for an inclusive regional political process that facilitates dialogue and accountability.

I will continue to demand a U.S. and international strategy to bring stability and security to Somalia until there is evidence that an effective plan exists and is being implemented in a consistent and coordinated fashion. For the sake of the people of Somalia and the reputation of the U.S. and the international community—not to mention our own national security—it is vital to reinvigorate a political process and stimulate legitimate progress towards that end. Given our historic role on the Horn of Africa and the critical national security concerns emanating from this part of the world, I encourage my colleagues to join me in calling upon the U.S. administration, other foreign donors, the Transitional Federal Government of Somalia, and other leaders in the region to end Somalia's descent into instability by facilitating political negotiations to address the need for accountability and the rule of law, and to prevent future suffering.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4579. Mr. WYDEN (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table.

SA 4580. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4581. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4582. Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. LAUTENBERG, Mr. MENENDEZ, Mrs. MURRAY, and Ms. CANTWELL) submitted an amendment intended to be proposed by

him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4583. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4584. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4585. Mr. ROCKEFELLER (for himself, Mr. INOUE, Mr. BAUCUS, and Mr. GRASSLEY) proposed an amendment to the bill H.R. 2881, supra.

SA 4586. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4579. Mr. WYDEN (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ AIR CARRIERS REQUIRED TO HONOR TICKETS FOR SUSPENDED SERVICE.

(a) IN GENERAL.—Each air carrier that provides scheduled air transportation on a route shall provide, to the extent practicable, air transportation to passengers ticketed for air transportation on that route by any other air carrier that suspends, interrupts, or discontinues air passenger service on the route by reason of insolvency or bankruptcy of the other air carrier.

(b) PASSENGER OBLIGATION.—An air carrier is not required to provide air transportation under subsection (a) to a passenger unless that passenger makes alternative arrangements with the air carrier for such transportation not later than 60 days after the date on which that passenger's air transportation was suspended, interrupted, or discontinued (without regard to the originally scheduled travel date on the ticket).

SA 4580. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ DEFINITION OF FABRICATED.

As used in section 21.191(g) of title 14, Code of Federal Regulations, the term "fabricated" means "to assemble from parts".

SA 4581. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable